

AN ACT
INCORPORATING A COMPANY TO MAKE A
McADAMIZED TURNPIKE ROAD,
From the Town of Caledonia, in Washington County, to the Mississippi River.

§ 1. *Be it enacted by the General Assembly of the State of Missouri,* That a company be, and the same is hereby incorporated, for making a McAdamized Turnpike Road, to commence at the southern extremity of the town of Caledonia, in Washington county, or at the southwest corner of said town, running north therewith, and continue thence by the nearest and best route to the Mississippi River.

§ 2. That for making said Road, subscription books for a capital stock of three hundred thousand dollars, in fifteen thousand shares, at twenty dollars each, be opened at the towns of Potosi, Ste. Genevieve, and St. Louis, in this state, under the direction of Augustus Jones, and such persons as he may select, on the first Monday in June next, and continue open for ninety days; and in the event of five thousand shares not being subscribed for at the expiration of the said ninety days in the manner hereinafter provided, that then, and in that event, the said Augustus Jones is hereby authorized and empowered to cause said books to be re-opened at such times or places, as he shall think proper, until the managers of the company are elected in the manner hereinafter mentioned, unless in the mean time the said capital stock of three hundred thousand dollars be subscribed for.

§ 3. It shall, and may be lawful for every incorporation or body politic, in the state of Missouri or any of the United States or territories, to become stockholders in said company, and hold stock therein.

§ 4. That when the said five thousand shares of said stock shall have been subscribed for, the said Augustus Jones shall give four weeks public notice in one or more of the newspapers printed in the said city of St. Louis, of the time and place which he shall designate, for the subscribers to meet for the purpose of organizing said corporation, choosing by a plurality of votes, by ballot, a President and seven managers, (four of whom shall be a quorum,) a Treasurer, and such other officers as they shall deem necessary for conducting the affairs of said company, until the first Monday in June thereafter, and until a new election; and for making such by-laws, rules, orders and regulations as do not contravene the constitution and laws of this state, or of the United States, and may be necessary for the well governing the affairs of the said company; and that, at such meeting for election, or in determining any question arising at any subsequent meeting, every person or body politic, holding shares, shall be entitled to vote as follows: that is to say, for every share so held, not exceeding three, one vote each; for every number of shares greater than three, and not exceeding ten, five votes, for any number of shares greater than ten, and not exceeding fifty, seven votes; for any number of shares greater than fifty, and not exceeding one hundred, ten votes; and for every additional hundred shares, above one hundred, ten votes; *provided*, That no person or body politic shall have more than thirty votes, whatever number of shares he, she, it, or they may be entitled to.

§ 5. That after the first meeting of the stockholders on the first Monday of June, in each and every year, or within four days thereafter, at such place as the said stockholders in their said first meeting, shall designate, when and where they may elect, by a plurality of votes, by ballot, a President, seven managers, (four of whom shall be a quorum,) a Treasurer, and such other officers as they may deem necessary for the ensuing year, and until a new election; and may, by a majority of votes present, adopt, add to, alter or amend, such by-laws, rules, orders, and regulations as may be necessary for the well governing the affairs of the company; *Provided*, that they do not contravene the constitution or the laws of this State, or of the United States.

§ 6. That the sums subscribed to the stock of said company, shall be paid in the following manner; one dollar on each share, to the said Augustus Jones, or the person by him selected for that purpose, at the time of subscribing, four dollars on each share to the managers elected agreeably to the provisions of this act, within one month after the election of managers, and the remainder in such sums and at such times as the managers, or a majority of them may appoint, they giving two months notice of the payments required, in one or more of the newspapers published at the city of St. Louis, aforesaid.

§ 7. That the stockholders in the said company shall be, and they are hereby incorporated and constituted a body politic, by the name of the "Washington County Turnpike Company," and by that name shall have succession during the continuance of this incorporation; and the said stockholders and their successors by such name, may sue and be sued, answer and be answered in any court of law or equity in this state, and may do and execute every other matter and things by the name aforesaid, that they are authorized to do in virtue of this act.

§ 8. That after the President and managers are elected, in the manner hereinbefore mentioned, they shall have full power and authority to receive subscriptions for all unsubscribed or vacant shares, and upon the said election, the powers heretofore vested in the said Augustus Jones for receiving subscriptions shall cease; *provided* nevertheless, that when either the capital stock or a sum sufficient for the completion of the said road is subscribed for, no further subscription shall be received.

§ 9. That the president and managers be, and they are hereby authorized to appoint three commissioners, whom, or a majority of whom, agreeing, shall lay out the said road in the nearest and best direction, from the southern extremity of the said town of Caledonia, to the Mississippi river, and after having laid out and marked said road, shall make out a plat of the same, specifying the course and distance, and return the said plat to the president and managers; and said commissioners, before they proceed to act, shall take the following oath or affirmation: I, A. B. do swear, (or affirm, as the case may be,) that I will lay out, and mark the Washington county Turnpike road, according to the best of my skill and judgment, agreeably to the purport of an act entitled An Act incorporating a company to make a McAdamized Turnpike Road, from the town of Caledonia, in the county of Washington, to the Mississippi river; and that I am not, directly or indirectly, interested in any land through which the said road is likely to pass.

§ 10. That the said company shall cause the said road to be laid out at least thirty-six feet wide; twenty-four feet whereof in breadth, at least, shall be made an artificial road of that description known and called by the name of McAdamized road, and shall in no place rise or fall more than will form an angle of five degrees with a horizontal line.

§ 11. That if the said company shall not commence the making of said road within five years from the passage of this act, and shall not complete the same within five years thereafter, the right of the said company to the said road shall revert to the state of Missouri.

§ 12. That the said company having perfected said road according to the intention of this act, it shall and may be lawful for them to erect as many gates on said road, and to appoint such, and so many toll gatherers as they shall think proper.

Approved, March 16th 1835.

STATE OF MISSOURI.

I have compared the foregoing act with the original roll now on file in the office of Secretary of State, aforesaid, and have corrected the same thereby.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, the sixteenth day of March, A. D. 1835.

JOHN C. EDWARDS,

Secretary of State.



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